



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,264	04/24/2000	Glen Kazumi Okita	02365.P0015	8596

7590 06/15/2004  
Andre L Marais  
Blakely Sokoloff Taylor & Zafman LLP  
12400 Wilshire Boulevard Seventh Floor  
Los Angeles, CA 90025

EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
----------	--------------

2676

20

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/557,264

**Applicant(s)**

OKITA ET AL.

**Examiner**

Greg Cunningham

**Art Unit**

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-10,13,14,16,19-22 and 24-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7-10,13,14,16,19-22 and 24-26 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is responsive to communications of amendment received 4/15/2004.
2. The disposition of the claims is as follows: claims 1, 4-10, 13, 14, 16, 19-22 and 24-26 are pending in the application. Claims 1, 9, 13 and 24-26 are independent claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-5, 7-10, 13-14, 16, 19-22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asai et al., (US Patent 5,903,730), hereafter Asai, and further in view of Ho, (US Patent Publication Number US 2002/0156814 A1).

(Examiner's Note: where reference is given in relation to [para.] reference applies to Ho and where reference is given in relation to [col. \_\_, lns. \_\_\_\_] reference applies to Asai.)

- A. Claim 1, "A method of displaying information relating to a workflow driven by a computer system comprising: executing the workflow [col. 3, lns. 18-39], the workflow implementing business rules; calculating execution statistics relating to the execution of the workflow on the computer system [col. 3, lns. 46-58]; displaying a workflow diagram on a display screen associated with the computer system [col. 4, lns. 8-15]; and overlaying the

Art Unit: 2676

execution statistics on the workflow diagram, wherein the execution statistics are for various steps displayed in the workflow diagram [col. 9, lns. 4-36]" is disclosed by Asai [as detailed].

However Asai does not appear to disclose "the workflow implementing business rules", but Ho does in para. 46-47.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply visualizing methods of workflow disclosed by Asai in combination with business process rules for performing business related processes on data disclosed by Ho, and motivated to combine the teachings because it would streamline information flow as revealed by Ho in para. 0006.

B. Claim 4, "The method of claim 1, wherein the overlaid execution statistics indicates the number of times a certain step was executed [col. 5, ln. 61 – col. 6, ln. 7]" is disclosed supra for claim 1 and [as detailed].

C. Claim 5, "The method of claim 1, further comprising: selectively overlaying the execution statistics on the workflow diagram [col. 9, ln. 24 – col. 11, ln. 26]" is disclosed supra for claim 1 and [as detailed].

D. Claim 7, "The method of claim 1, further comprising: color coding the execution statistics [col. 10, ln. 64 – col. 11, ln. 12]" is disclosed supra for claim 1 and [as detailed].

E. Claim 8, "The method of claim 7, wherein the execution statistics are color coded based on threshold values [col. 10, ln. 64 – col. 11, ln. 12]" is disclosed supra for claim 1 and [as detailed]. Wherein the threshold values are logically conditional values for example "true" or "false".

Art Unit: 2676

F. Claim 9, “A workflow system comprising: a workflow server engine to execute workflows, the workflows implementing business rules; a display device to display workflow diagrams; and an overlay data provider to provide calculated execution statistics relating to an execution workflow to overlay on the workflow diagram displayed on the display device” is disclosed by Asai *supra* for claim 1. Wherein the plurality of processors correspond to server network.

However Asai does not appear to disclose “the workflow implementing business rules”, but Ho does in para. 46-47.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply visualizing methods of workflow disclosed by Asai in combination with business process rules for performing business related processes on data disclosed by Ho, and motivated to combine the teachings because it would streamline information flow as revealed by Ho in para. 0006.

G. Claim 10, “The workflow system of claim 9, wherein the display device is a workflow editor” is disclosed *supra* for claim 9 and in [col. 4, lns. 15-50]. Wherein library of routines, source code and extracts correspond to editor.

H. Claim 13, “A method of collecting information relating to a workflow driven by a computer system comprising: executing the workflow [col. 3, lns. 18-39], the workflow implementing business rules; calculating execution statistics relating to the execution of the workflow on the computer system [col. 3, lns. 46-58]; displaying a workflow diagram on a display screen associated with the computer system [col. 4, lns. 8-15]; and overlaying the

Art Unit: 2676

execution statistics over the workflow diagram [col. 9, lns. 4-36]" is disclosed by Asai [as detailed].

However Asai does not appear to disclose "the workflow implementing business rules", but Ho does in para. 46-47.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply visualizing methods of workflow disclosed by Asai in combination with business process rules for performing business related processes on data disclosed by Ho, and motivated to combine the teachings because it would streamline information flow as revealed by Ho in para. 0006.

I. Claim 14, "The method of claim 13 further comprising displaying the collected information on the display screen" is disclosed supra for claim 13.

J. Claim 16, "The method of claim 13, wherein the execution statistics includes the number of times a step in the workflow is executed [col. 5, ln. 61 – col. 6, ln. 7]" is disclosed supra for claim 13 and [as detailed].

K. Claim 19, "The method of claim 13, wherein the execution statistics includes the execution time of one or more steps [col. 5, ln. 61 – col. 6, ln. 7]" is disclosed supra for claim 13 and [as detailed].

L. Claim 20, "The method of claim 13, wherein the execution statistics includes the number of exceptions encountered during execution of the workflow" is disclosed supra for claim 13.

M. Claim 21, "The method of claim 13, wherein the execution statistics are displayed as a raw number [col. 1, lns. 34-51]" is disclosed supra for claim 13 and [as detailed]. Wherein the conventional method of displaying execution profiles corresponds to the captured raw data.

Art Unit: 2676

N. Claim 22, "The method of claim 13, wherein the execution statistics are displayed as percentages [col. 11, lns. 15-34]" is disclosed supra for claim 13 and [as detailed].

O. Per independent claim 24, this is directed to a method for performing the method of independent claim 1 and dependent claim 4, and therefore is rejected to independent claim 1 and dependent claim 4.

P. Per independent claim 25, this is directed to a method for performing the method of independent claim 13 and dependent claim 19, and therefore is rejected to independent claim 13 and dependent claim 19.

Q. Claim 26, "A method of collecting information ... with the computer system" is disclosed supra for claims 13 and 20.

***Allowable Subject Matter***

5. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1, 4-5, 7-10, 13-14, 16, 19-22 and 24-26 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2676

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### *Responses*

8. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9314 may be used for formal communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

When making claim amendments, the applicant is encouraged to consider the references in their entireties, including those portions that have not been cited by the examiner and their equivalents as they may most broadly and appropriately apply to any particular anticipated claim amendments.



Art Unit: 2676

*Inquiries*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached on (703) 308-6829.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

*G.F. Cunningham*

gfc

June 10, 2004

*Matthew C. Bella*

MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600